REMARKS

Claims 1-5 are pending and stand for further action on the merits.

Claims 1-4 have been amended to be method claims.

No new matter has been added by way of the above amendment.

Election/Restriction

The Examiner has restricted the inventions under 35 U.S.C. 121 as follows:

I. Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q represents a monocyclic 5-membered ring containing two N atoms as heteroatoms, classified in class 548, subclass 300.1.

II. Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a monocyclic 5-membered ring containing two N atoms as heteroatoms, classified in class 546, subclass 272.7.

III. Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q represents a monocyclic 5-membered ring containing N and O atoms as heteroatoms, classified in class 548, subclass 215.

IV.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a monocyclic 5-membered ring containing N and O atoms as heteroatoms, classified in class 546, subclass 271.4.

V.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q represents a monocyclic 5-membered ring containing only one O atom as heteroatom, classified in class 549, subclass 491.

VI.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a monocyclic 5-membered ring containing only one O atom as heteroatom, classified in class 546, subclass 283.4.

VII.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q represents a monocyclic 5-membered ring containing only one N atom as heteroatom, classified in class 548, subclass 560.

VIII.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a monocyclic 5-membered ring containing only one N atom as heteroatom, classified in class 546, subclass 276.4

IX.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q

represents a monocyclic 6-membered ring containing only one N atom as heteroatom, classified in class 546, subclass 329.

X.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a monocyclic 6-membered ring containing only one N atom as heteroatom, classified in class 546, subclass 255.

XI.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q represents a monocyclic 4- or 5-membered carbocyclic ring, classified in class 564, subclass 453.

XII. Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a monocyclic 4- or 5-membered carbocyclic ring, classified in class 546, subclass 339.

XIII.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q represents a bicyclic ring containing only one N atom as heteroatom, classified in class 548, subclass 452.

XIV. Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a bicyclic ring containing only one N atom as heteroatom, classified in class 546, subclass 276.7.

XV.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and ring Q represents a bicyclic ring containing three N and one S atom as heteroatoms, classified in class 548, subclass 154.

XVI. Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and ring Q represents a bicyclic ring containing three N and one S atom as heteroatoms, classified in class 546, subclass 270.1

XVII.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a benzene or cycloalkane ring and rings Q and A are combined to form a tricyclic ring, classified in class 548, subclass 359.5.

XVIII.   Claims 1-4, drawn to compounds of formula (I) where ring A represents a pyridine ring and rings Q and A are combined to form a tricyclic ring, classified in class 546, subclass 81.

In response, Applicants elect, with traverse, Group III, directed to claims 1-4, drawn to compounds of formula (I), wherein ring A represents a benzene or cycloalkane ring and ring Q represents a monocyclic 5-membered ring containing N and O atoms as heteroatoms, classified in class 548, subclass 215.

Applicants respectfully traverse for the following reasons.

According to MPEP §803, if the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. In view of the fact that Applicants have amended the claims by changing the category of invention from compounds to methods, the prior art search would be limited to class 514, subclass various. As such, there would not be an undue burden on the Examiner to consider the entire scope of compounds described in method claim 1.

However, in the event that the Examiner believes that the entire scope of the compounds in inventive method claim 1 would create an undue burden, even when the search is limited to Class 514, Applicants respectfully request that the Examiner expands the search to include compounds, wherein ring Q is a 5-membered ring containing either a) two nitrogens or b) a nitrogen heteroatom and oxygen heteroatom. This hypothetical group would include compounds (1), (3), (4), (5), (6), (9), (10) and (11) on Table 1 of page 8 of the specification.

Early and favorable examination on the merits is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

requested to contact **Garth M. Dahlen, Ph.D., Esq.** (Reg. No. 43,575)
at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this,
concurrent, and future replies, to charge payment or credit any
overpayment to Deposit Account No. 02-2448 for any additional fees
required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of
time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____

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